

**Effective 5/12/2015**

## **Part 1 General Provisions**

### **63G-20-101 Title.**

This chapter is known as "Religious Protections in Relation to Marriage, Family, or Sexuality."

Enacted by Chapter 46, 2015 General Session

### **63G-20-102 Definitions.**

As used in this chapter:

- (1) "Government retaliation" means an action by a state or local government or an action by a state or local government official that:
  - (a) is taken in response to a person's exercise of a protection contained in Section 17-20-4, 63G-20-201, or 63G-20-301; and
  - (b)
    - (i) imposes a formal penalty on, fines, disciplines, discriminates against, denies the rights of, denies benefits to, or denies tax-exempt status to a person; or
    - (ii) subjects a person to an injunction or to an administrative claim or proceeding.
- (2)
  - (a) "Religious official" means an officer or official of a religion, when acting as such.
  - (b) "Religious official" includes an individual designated by the religion as clergy, minister, priest, pastor, rabbi, imam, bishop, stake president, or sealer, when that individual is acting as such.
- (3) "Religious organization" means:
  - (a) a religious organization, association, educational institution, or society;
  - (b) a religious corporation sole; or
  - (c) any corporation or association constituting a wholly owned subsidiary, affiliate, or agency of any religious organization, association, educational institution, society, or religious corporation sole.
- (4) "Sexuality" includes legal sexual conduct, legal sexual expression, sexual desires, and the status of a person as male or female.
- (5) "State or local government" means:
  - (a) a state government entity, agency, or instrumentality; or
  - (b) a local government entity, agency, or instrumentality.
- (6) "State or local government official" means an officer, employee, or appointee of a state or local government.

Enacted by Chapter 46, 2015 General Session

### **63G-20-103 Interpretation.**

- (1) Utah state courts and courts of the United States shall broadly construe this chapter in favor of a broad protection of religious beliefs, exercises, and conscience to the maximum extent permitted by the terms of this chapter and the Utah and United States constitutions.
- (2) Nothing in this chapter may be construed to limit:
  - (a) the authority of a state or local government or a state or local government official to protect the health, safety, or property of Utah residents through lawful means;
  - (b) the application of Utah's criminal laws;

- (c) the application of Utah's laws barring discrimination in employment or housing; or
- (d) the application of Utah's laws barring discrimination in public accommodations, subject to Section 63G-20-201.

Enacted by Chapter 46, 2015 General Session